

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
December 14, 2011
4:00 P.M.**

I. **ROLL CALL**

II. **ELECTION OF OFFICERS 2012**

III. **REVIEW OF SUMMARY**

IV. **OLD BUSINESS**

- (1) 11-TV-117 **420 S. Fess Avenue**, GMS Enterprises, LLC. Request for an extension of time to complete repairs. pp. 4-10

V. **NEW BUSINESS**

- (2) 11-TV-139 **409 E. 9th Street**, Woodington Management. Request for an extension of time to complete repairs. pp. 11-20
- (3) 11-TV-140 **1711 N. Lincoln Street**, Chester's Rentals. Request for an extension of time to complete repairs. pp. 21-26
- (4) 11-TV-141 **1720 N. Lincoln Street**, Chester's Rentals. Request for an extension of time to complete repairs. pp. 27-32
- (5) 11-TV-142 **410-412 S. Village Court**, Nextwave Apartment Homes. Request for an extension of time to complete repairs. pp. 33-38
- (6) 11-TV-143 **1440-1442 S. Windfield Road**, Andrew Bucksbarg. Request for an extension of time to complete repairs. pp. 39-44
- (7) 11-TV-144 **120 S. Kingston Drive F73**, Jan Neff. Request for an extension of time to complete repairs. pp. 45-49
- (8) 11-TV-145 **350 S. Madison Street**, Roy & Joan Butler. Request for an extension of time to complete repairs. pp. 50-67
- (9) 11-TV-146 **1212 S. College Mall Road**, Sandra Oritz. Request for an extension of time to complete repairs. pp. 68-73
- (10) 11-TV-147 **3101 S. Piccadilly Street**, Alexander Ferenczy III. Request for an extension of time to complete repairs. pp. 74-81
- (11) 11-TV-148 **1010 E. Maxwell Lane**, Guy Leonard. Request for an extension of time to complete repairs. pp. 82-88
- (12) 11-TV-149 **3496 S. Oaklawn Circle**, Arthur & Mary Starts. Request for an extension of time to complete repairs. pp. 89-95
- (13) 11-TV-150 **1021 E. Azalea Lane**, Mallory Hawes, LLC. Request for an extension of time to complete repairs. pp. 96-107
- (14) 11-TV-151 **3230 E. John Hinkle Place Unit A**, Tempo Properties. Request for an

extension of time to complete repairs.

pp. 108-112

(15) 11-TV-152 **3230 E. John Hinkle Place Unit K**, Tempo Properties. Request for an extension of time to complete repairs.

pp. 113-119

VI. **GENERAL DISCUSSION**

VII. **PUBLIC COMMENT**

VIII. **ADJOURNMENT**

**BOARD OF HOUSING QUALITY APPEALS
CONSENT AGENDA
CITY HALL McCLOSKEY CONFERENCE ROOM
December 14, 2011, 4:00 P.M.**

I. Extension of time- State Variance

- (2) 11-TV-139 **409 E. 9th Street**, Woodington Management. Request for an extension of time to complete repairs. pp. 11-20
- (3) 11-TV-140 **1711 N. Lincoln Street**, Chester's Rentals. Request for an extension of time to complete repairs. pp. 21-26
- (4) 11-TV-141 **1720 N. Lincoln Street**, Chester's Rentals. Request for an extension of time to complete repairs. pp. 27-32
- (9) 11-TV-146 **1212 S. College Mall Road**, Sandra Oritz. Request for an extension of time to complete repairs. pp. 68-73
- (12) 11-TV-149 **3496 S. Oaklawn Circle**, Arthur & Mary Starts. Request for an extension of time to complete repairs. pp. 89-95
- (14) 11-TV-151 **3230 E. John Hinkle Place Unit A**, Tempo Properties. Request for an extension of time to complete repairs. pp. 108-112
- (15) 11-TV-152 **3230 E. John Hinkle Place Unit K**, Tempo Properties. Request for an extension of time to complete repairs. pp. 113-119

II. Extension of time- Complete repairs

- (5) 11-TV-142 **410-412 S. Village Court**, Nextwave Apartment Homes. Request for an extension of time to complete repairs. pp. 33-38
- (6) 11-TV-143 **1440-1442 S. Windfield Road**, Andrew Bucksbarg. Request for an extension of time to complete repairs. pp. 39-44
- (8) 11-TV-145 **350 S. Madison Street**, Roy & Joan Butler. Request for an extension of time to complete repairs. pp. 50-67
- (10) 11-TV-147 **3101 S. Piccadilly Street**, Alexander Ferenczy III. Request for an extension of time to complete repairs. pp. 74-81
- (11) 11-TV-148 **1010 E. Maxwell Lane**, Guy Leonard. Request for an extension of time to complete repairs. pp. 82-88
- (13) 11-TV-150 **1021 E. Azalea Lane**, Mallory Hawes, LLC. Request for an extension of time to complete repairs. pp. 96-107



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: December 14, 2011

Petition Type: An extension of time to complete repairs.

Petition Number: 11-TV-117 (old)

Address: 420 S. Fess

Petitioner: G.M.S. Enterprises, LLC

Inspector: Jo Stong

Staff Report: February 14, 2011: Conducted cycle inspection
February 23, 2011: Sent cycle report
May 9, 2011: Sent Remaining Violations report
June 16, 2011: Conducted reinspection. Furnace not in compliance
June 24, 2011: Sent 2nd Remaining Violations report
July 15, 2011: Received furnace documentation. Furnace did not pass carbon monoxide test
July 21, 2011: Called owners to inform them furnace must be repaired or replaced, or a variance secured
July 27, 2011: Spoke with owner, who said boiler will be repaired. Received appeal.
September 14, 2011: BHQA granted an extension of time until October 14, 2011 to complete repairs
October 14, 2011: Spoke with Ana from Pavilion. Part has been ordered for boiler.

During a cycle inspection the gas boiler was cited to be cleaned and serviced and to have a carbon monoxide test done on it. A receipt from Midwest Heating, Cooling & Refrigeration sent to HAND by the owner indicated that the unit failed the CO test. The owner is requesting an extension of time to complete repairs on the boiler. All other violations are in compliance. As of October 14, a part to repair the boiler had been ordered. Two weeks were reportedly needed for delivery, and then a few days beyond that for installation.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: December 30, 2011

Attachments: Remaining Violations report, appeal, letter



RECEIVED
OCT 15 2011

Page 1 of 2

Application For Appeal
BY: _____ To The
Board of Housing Quality Appeals

P.O. Box 100
Bloomington, IN 47402
812-349-3420

hand@bloomington.in.gov BY: _____

RECEIVED
JUL 27 2011

Property Address: 420 S. Fess Ave.

Petitioner's Name: G.M.S. Enterprises, LLC

Address: 601 N. Walnut St.

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: (812) 333-2332

E-mail Address: mark@pavprop.com

Owner's Name: G.M.S. Enterprises, LLC

Address: 601 N. Walnut St.

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: 812-333-2332

E-mail Address: mark@pavprop.com

Occupants:

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-117 (OLD)

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

We need an extension of time for the repair/replacement of the boiler system. We will also be researching the difference in the City of Bloomington's code requirement vs. the State of Indiana's code. The reason for this research is to show that we have a valid permit from the State that conflicts with what the City is showing.

Signature (Required):

Name (Print):

Mark Hoffman

Date:

7/27/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form

Midwest Heating, Cooling & Refrigeration

1316 East Richland Drive Bloomington, IN. 47408 Phone 812-339-2146 Fax 812-337-8999

September 9, 2011

To whom it may concern,

Midwest Heating & Cooling has thoroughly inspected the boiler at 420 S. Fess. Midwest has even made a additional trip out to see if C/O reading could be lowered any at all. Midwest has determined that C/O is caused by burner age and design, these burners have been thoroughly cleaned, primary air has been adjusted gas pressure checked combustion air ok, flu system is ok and unit is drafting properly. Burners are made of cast iron and are conducive to higher C/O readings as unit ages. Heat exchanger is also made of cast iron and a certain amount of flame impingement is also causing higher C/O readings. It is possible that brand new burners would give an acceptable level of C/O but these burners are no longer made for this unit.

Thank You,

Jerry Mills



**City of Bloomington
Housing and Neighborhood Development**

420 S. Fess Avenue
June 21, 2011
Remaining Violations
Page 1 of 2

Remaining Violations Report

3177

OWNERS

=====

GMS ENTERPRISES
601 N. WALNUT ST.
BLOOMINGTON, IN 47404

Prop. Location: 420 S FESS AVE
Date Inspected: 02/14/2011
Inspectors: Jo Stong
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 3

Number of Units/Structures: 9 / 1
Number of Bedrooms: 1 & 2
Max # of Occupants: 2 & 4
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

VARIANCE

=====

02/17/2011 Apt.9 was not inspected during the 2011 inspection and is not approved for occupancy until inspected.

11/17/1982 Granted a variance to the light, ventilation and ceiling height requirements for Apt.9.

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

INTERIOR:

BASEMENT

Thoroughly clean and service the gas boiler, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm PM-603.1 |

OTHER REQUIREMENTS:

The following documents were not provided to the office or reviewed by the inspector within 60 days of the date of the inspection, and as such a fine will be levied:

- A completed copy of the Tenants & Owners Rights and Responsibilities Summary **BMC16.12.050 (d).**
- Inventory & Damage List: The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement **BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: December 14, 2011

Petition Type: An extension of time to complete repairs.

Petition Number: 11-TV-139

Address: 409 E. 19th Street

Petitioner: Michael Woodson

Inspector: Jo Stong

Staff Report: August 23, 2011: Conducted cycle inspection
August 31, 2011: Mailed cycle report
October 17, 2011: Received appeal
October 21, 2011: Met maintenance staff at property and re-measured all egress windows

During a cycle inspection it was noted that the egress window in Unit 409 did not meet the code at the time of construction. The building was built in 1986.

REQUIRED

Openable area: 4.75 sq. ft.
Clear width: 18"
Clear height: 24"
Maximum Allowable Sill Height:
48" above finished floor

EXISTING

Openable area: 3.99 sq. ft.
Clear width: 19 ½ inches
Clear height: 29 ½ inches
Sill height: 48 inches

At a follow-up inspection to check window measurements, it was noted that none of the egress windows meet code at the time of construction. The petitioner is seeking an extension of time to appeal to the State for a variance.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: February 14, 2012

Attachments: Amended cycle report, photos, appeal



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
OCT 17 2011

BY:

Petitioner's Name: Woodington Management, LLC

Petitioner's Address & Phone Number: 205 E. 17th St, Blmngtn 47408

Owner's Name: Michael Woodson

Owner's Address & Phone Number: Same as above 812-333-9201

Address of Property: 409 East 19th Street

Occupant(s) Name(s): _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Woodington Mgt / M.A. Waggoner

Name (print): Woodington Mgt / M.A. Waggoner

(Will be assigned by BHQA)

11-TV-139

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

We have a question on one bedroom window size. If it does not pass our inspection on October 21st, we will need to order a different window and have it installed.

Signature: Woodington Mgt/M.A. Wagg Date: 10-14-11



**City of Bloomington
Housing and Neighborhood Development**

Amended Cycle Report

4059

OWNERS

Woodson, Mike
701 Summitview Place
Bloomington, IN 47401

AGENT

May, Scott
205 E. 17th Street
Bloomington, IN 47408

Prop. Location: 409 E 19th ST
Date Inspected: 08/23/2011
Inspectors: Jo Stong
Primary Heat Source: Electric
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 4 / 1
Number of Bedrooms: 1 each
Max # of Occupants: 2 each
Foundation Type: Slab
Attic Access: No
Accessory Structure: None

This is an amended cycle report. A reinspection was conducted on October 21, 2011 and all egress windows were re-measured. Measurements are all included on this report.

Monroe County Assessor's records indicate this structure was built in 1986.
Minimum emergency egress requirements for the time of construction:

Openable area required: 4.75 sq. ft.
Clear width required: 18"
Clear height required: 24"
Maximum Allowable Sill Height: Not more than 48"
above finished floor

INTERIOR:

Room measurements for all units: Living Room (11-4 x 11-3), Kitchen (14-2 x 8-3), Bedroom (11-6 x 11-4)

General Violation #1 for all units:

Service or replace the fire extinguishers. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. **All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. PM-704.3**

UNIT #409

Living Room, Mechanical Room, Bathroom:

No violations noted.

Kitchen:

See General Violation.

Bedroom:

Existing Egress Window Measurements (sliding, sashes removable):

Height: 30 inches

Width: 19 inches

Sill Height: 48 inches

Openable Area: 3.95 sq. ft.

The emergency egress window does not meet the minimum code requirements for the time the structure was built (1986). For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

UNIT #411

Living Room, Mechanical Room:

No violations noted.

Kitchen:

See General Violation.

Bathroom:

Secure toilet to its mountings. PM-504.1

Bedroom:

Existing Egress Window Measurements (sliding, sashes removable):

Height: 31 ½ inches

Width: 21 ¼ inches

Sill Height: 47 ¼ inches

Openable Area: 4.65 sq. ft.

The emergency egress window does not meet the minimum code requirements for the time the structure was built (1986). For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

UNIT #413

Living Room, Bathroom, Mechanical Room:

No violations noted.

Kitchen:

See General Violation.

Bedroom:

Existing Egress Window Measurements (sliding, sashes removable):

Height: 31 ½ inches

Width: 21 ½ inches

Sill Height: 46 ½ inches

Openable Area: 4.70 sq. ft.

The emergency egress window does not meet the minimum code requirements for the time the structure was built (1986). For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

UNIT #415

Living Room, Bathroom, Mechanical Room:

No violations noted.

Kitchen:

See General Violation.

Bedroom:

Existing Egress Window Measurements (sliding, sashes removable):

Height: 31 ½ inches

Width: 21 3/8 inches

Sill Height: 47 inches

Openable Area: 4.68 sq. ft

The emergency egress window does not meet the minimum code requirements for the time the structure was built (1986). For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

EXTERIOR:

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

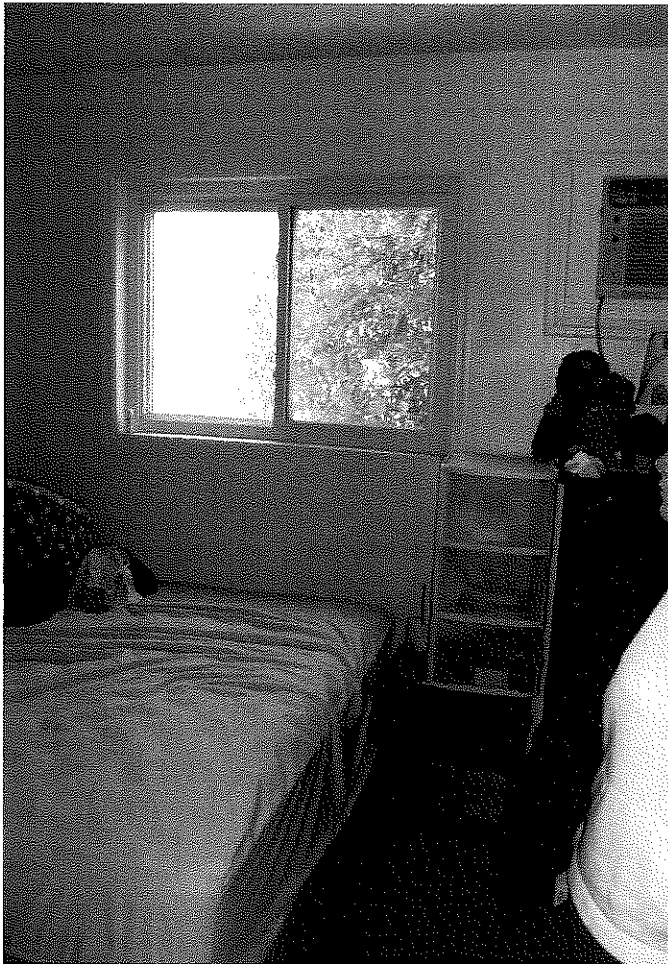
OTHER REQUIREMENTS:

Required documentation:

Complete the enclosed registration form. A street address is required for both owner and agent. **This form must be signed by the owner.** BMC16.12.060

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.





City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: December 14, 2011

Petition Type: An extension of time to secure a state variance for egress windows.

Petition Number: 11-TV-140

Address: 1711 N. Lincoln St.

Petitioner: Parker Real Estate Mgmt.

Inspector: Norman Mosier

Staff Report: October 3, 2011- Conducted Cycle Inspection
October 17, 2011- Received BHQA Appeal

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. – 1990

Openable Area: 4.72 sq. ft. Required Openable Area: 5.70 Sq. Ft.

Height: 20 inches Required height: 24 inches

Width: 34 inches Required Width: 20 inches

Sill Height: 36 inches Required Max. Sill Height: 44 inches above finished floor

It was noted during the cycle inspection that the upstairs bedroom windows do not meet egress requirements. Petitioner is requesting an extension of time to secure a state egress variance.

Staff recommendation: Grant the extension of time.

Conditions: A copy of the state variance must be received by the Housing and Neighborhood Development Office no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: February 14, 2012

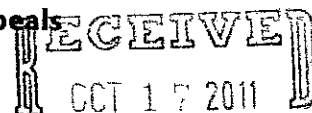
Attachments: Cycle Report, BHQA Appeal, Petitioner's Letter



**Application For Appeal
To The
Board of Housing Quality Appeals**

**P.O. Box 100
Bloomington, IN 47402
812-349-3420**

hand@bloomington.in.gov BY:



Property Address: 1711 N Lincoln St

Petitioner's Name: Candi Mullis/ Parker Real Estate Management

Address: 621 N Walnut St/ P.O. Box 1112

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: (812) 339-2115

E-mail Address: cmullis@parkermgt.com

Owner's Name: Chester's Rentals LLC

Address: 1924 S. Dan Jones Rd

City: Avon

State: Indiana

Zip Code: 46123

Phone Number: 317-563-2845

E-mail Address:

Occupants: Cassandra Loweth, Morgan Melloh

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11- TV- 140

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

I am asking for an extension of time to complete the application process for the window variance for the upper bedroom windows. The process takes at least 3 months for the State of Indiana to process the application and send the variance to the owner. I will need an extension of time till December 30, 2011.

Signature (Required):

Candace A. Mullis

Name (Print):

Candace A. Mullis

Date:

10/11/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

Cycle Report

3119

OWNERS

Chester'S Rentals, Llc
1924 S. Dan Jones Road
Avon, IN 46123

AGENT

Parker Management
P.O. Box 1112
Bloomington, IN 47402

Prop. Location: 1711 N Lincoln ST
Date Inspected: 10/03/2011
Inspectors: Norman Mosier
Primary Heat Source: Electric
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 4
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1990.
Minimum egress requirements for a multi-family dwelling built at the time of construction.
Openable area: 5.7 Sq. Ft
Clear height: 24 inches
Clear width: 20 inches
Sill height: 44 inches above finished floor

EGRESS WINDOW MEASUREMENTS FOR UNIT ARE AS FOLLOWS:

The emergency egress windows do not meet the minimum requirements for a multi-unit structure built in 1990:

| | |
|---|---|
| <u>Openable area required: 5.7 sq. ft.</u> | <u>Existing area: 4.72sq. ft.</u> |
| Clear width required: 20 inches | Existing width: 34 inches |
| <u>Clear height required: 24 inches</u> | <u>Existing height: 20 inches</u> |
| Maximum sill height: 44 inches above finished floor | Existing sill: 36 inches above finished floor |

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

INTERIOR:

MAIN LEVEL

Living Room 17 x 12:

Repair the door to the deck to latch properly, backset stuck in place. PM-303.15

Porch:

Secure the handrail so it is capable of withstanding normally imposed loads.
PM-303.12 (exterior)

Kitchen:

No violations noted.

Bath/Utility Room:

No violations noted.

UPSTAIRS

Stairway/Hallway:

No violations noted.

Attic:

Restore the integrity of the draft stop/fire separation wall in the attic. Repairs shall be made using like construction and materials. Replacement shall be done in accordance with current code requirements. PM-703.1

N Bedroom 13 x 11: See egress window measurements at heading of report.

N Bath/Shower Room:

No violations noted.

S Bedroom 13 x 10: See egress window measurements at heading of report.

S Shower Room:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster,
@ shower head. PM-304.3

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging
materials. PM-304.3

Toilet Room:

No violations noted.

Crawlspace:

No violations noted.

EXTERIOR:

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: December 14, 2011

Petition Type: An extension of time to secure a state variance for egress windows.

Petition Number: 11-TV-141

Address: 1720 N. Lincoln St.

Petitioner: Parker Real Estate Mgmt.

Inspector: Norman Mosier

Staff Report: October 3, 2011- Conducted Cycle Inspection
October 17, 2011- Received BHQA Appeal

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. – 1990

Openable Area: 4.72 sq. ft. Required Openable Area: 5.70 Sq. Ft.

Height: 20 inches Required height: 24 inches

Width: 34 inches Required Width: 20 inches

Sill Height: 36 inches Required Max. Sill Height: 44 inches above finished floor

It was noted during the cycle inspection that the upstairs bedroom windows do not meet egress requirements. Petitioner is requesting an extension of time to secure a state egress variance.

Staff recommendation: Grant the extension of time.

Conditions: A copy of the state egress variance must be received by the Housing and Neighborhood Development Office no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: February 14, 2012

Attachments: Cycle Report, BHQA Appeal, Petitioner's Letter

[Handwritten signature]



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

RECEIVED
OCT 17 2011

Property Address: 1720 N Lincoln St

BY:

Petitioner's Name: Candi Mullis/ Parker Real Estate Management

Address: 621 N Walnut St/ P.O. Box 1112

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: (812) 339-2115

E-mail Address: cmullis@parkermgt.com

Owner's Name: Chester's Rentals LLC

Address: 1924 S. Dan Jones Rd

City: Avon

State: Indiana

Zip Code: 46123

Phone Number: 317-563-2845

E-mail Address:

Occupants: Stephanie Chin, Amy Korthauer



The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-141

Petition Number:

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

I am asking for an extension of time to complete the application process for the window variance for the upper bedroom windows. The process takes at least 3 months for the State of Indiana to process the application and send the variance to the owner. I will need an extension of time till December 30, 2011.

Signature (Required):

Candace A. Mullis

Name (Print): Candace A Mullis

Date: 10/11/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

Cycle Report

3124

OWNERS

Chester'S Rentals, Llc
1924 S. Dan Jones Road
Avon, IN 46123

AGENT

Parker Real Estate Management
Po Box 1112
Bloomington, IN 47402

Prop. Location: 1720 N Lincoln ST
Date Inspected: 10/03/2011
Inspectors: Norman Mosier
Primary Heat Source: Electric
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 4
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1990.
Minimum egress requirements for a multi-family dwelling built at the time of construction.
Openable area: 5.7 Sq. Ft
Clear height: 24 inches
Clear width: 20 inches
Sill height: 44 inches above finished floor

EGRESS WINDOW MEASUREMENTS FOR UNIT ARE AS FOLLOWS:

The emergency egress windows do not meet the minimum requirements for a multi-unit structure built in 1990:

| | |
|---|---|
| <u>Openable area required: 5.7 sq. ft.</u> | <u>Existing area: 4.72sq. ft.</u> |
| Clear width required: 20 inches | Existing width: 34 inches |
| <u>Clear height required: 24 inches</u> | <u>Existing height: 20 inches</u> |
| Maximum sill height: 44 inches above finished floor | Existing sill: 36 inches above finished floor |

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

INTERIOR:

MAIN LEVEL

Living Room 17 x 12:

No violations noted.

Porch:

Secure the handrail so it is capable of withstanding normally imposed loads.
PM-303.12 (exterior)

Kitchen:

Install a wire clamp on the garbage disposal. PM-605.1

Bath/Utility Room:

No violations noted.

UPSTAIRS

Stairway/Hallway:

No violations noted.

Attic:

No violations noted.

E Bedroom 13 x 11: See egress window measurements at heading of report.

E Bath/Shower Room:

Seal the top of the shower surround. PM-304.1

Repair/replace the defective diverter spout on the tub, stuck. PM-504.1

W Bedroom 13 x 10: See egress window measurements at heading of report.

W Shower Room:

No violations noted.

Toilet Room:

No violations noted.

Crawlspace:

No violations noted.

EXTERIOR:

No violations noted.

Other requirements:

Complete the enclosed registration form. A street address is required for both owner and agent.

This form must be signed by the owner. BMC16.12.060

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: 14 December 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-142

Address: 410-412 S. Village Ct.

Petitioner: Nextwave Apartment Homes

Inspector: Michael Arnold

Staff Report: 25 July 2011 Cycle Inspection
02 August 2011 Cycle Report sent
10 October 2011 Sent Remaining Violations Report

Staff recommendation: To date, there has been no reinspection at this property. At the time of inspection this property was vacant. The petitioner is requesting additional time to find a contractor to do tree trimming.

Conditions: Tree trimming must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: 14 February 2012

Attachments: Remaining Violations Report, Application



**Application For Appeal
To The
Board of Housing Quality Appeals**
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
OCT 21 2011

hand@bloomington.in.gov BY: _____

Property Address: 410-412 Village Ct.

Petitioner's Name: Nextwave Apt. Homes

Address: 505 N Walnut St

City: Bloomington, State: IN Zip Code: 47404

Phone Number: 812-339-0799 E-mail Address: manager@nextwaveapts.com

Owner's Name: John Jacobs

Address: 505 N. Walnut St.

City: Bloomington, State: IN Zip Code: 47404

Phone Number: 812-339-0799 E-mail Address: _____

Occupants: 2

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-142

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

Have scheduled tree trimming @ a later date due to current tree/landscaper not comfortable w/ liability.

Signature (Required):

LA Florace

Name (Print):

Lauren Adair - Florace

Date:

9/30/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



**City of Bloomington
Housing and Neighborhood Development**

OCT 10 2011

Remaining Violation Report

3610

OWNERS

=====

Nextwave Management Group, LLC
505 N. Walnut St.
Bloomington, IN 47404

AGENT

=====

Buckingham Companies, LLC
2900 W. Ridge Road
Bloomington, IN 47403

Prop. Location: 410-412 S Village CT
Date Inspected: 07/25/2011
Inspectors: Mike Arnold
Primary Heat Source: Gas
Property Zoning: PUD
Number of Stories: 1

Number of Units/Structures: 2 / 1
Number of Bedrooms: 3 each unit
Max # of Occupants: 5 each unit
Foundation Type: Slab
Attic Access: Yes
Accessory Structure: none

Note: According to Monroe County records this structure was built in 1991. The minimum requirements for emergency egress at the time of construction were:

Height: 24 inches
Width: 18 inches
Sill Height: 44 inches
Openable Area: 4.75 sq. ft.

Existing Egress Window Measurements:

Height: 51.5 inches (both sashes removed)
Width: 24.5 inches
Sill Height: 28.5 inches
Openable Area: 8.75 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

Interior:**Unit 410:****Kitchen (17-0 x 10-0):**

Replace the missing burner on the range top. PM-603.1

Repair the broken window. PM-303.13 (West wall)

Secure the flooring at the laundry closet. PM-304.3

Repair the door frame at the door to the exterior. PM-304.3

NW Bedroom (11-4 x 9-6):

Repair the broken window. PM-303.13

Bathroom:

Seal edge of floor covering adjacent to bathtub. PM-304.1

Unit 412:**Exterior:**

Remove the vines from the emergency egress windows. PM-PM-302.4

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Repair the deck railings. PM-302.7

Repair/remove the railing at the entry to 410. PM-302.7

Required Documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary was not provided to the office or reviewed with the inspector within 60 days of the date of the inspection, **therefore a \$25.00 fine has been levied. BMC16.12.050 (d).**

A completed copy of the Inventory & Damage List was not provided to the office or reviewed with the inspector within 60 days of the date of the inspection, **therefore a \$25.00 fine has been levied. BMC16.12.040**

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: 14 December 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-143

Address: 1442 S. Winfield Rd.

Petitioner: Andrew Bucksbarg

Inspector: Michael Arnold

Staff Report: 05 October 2011 Complaint Inspection
 10 October 2011 Sent Complaint Report
 18 October 2011 Sent Amended Report
 25 October 2011 Received Appeal Application

A complaint inspection was conducted on 05 October 2011 at the request of the tenants. The complaint was valid and a report was issued. The owner is asking for an additional 30 days to complete the repairs.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: 21 December 2011

Attachments: Complaint, Complaint Inspection Report, Application and Letter



Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

RECEIVED
OCT 25 2011

BY: _____

Property Address: 1442 S. WINFIELD RD.

Petitioner's Name: _____

Address: ANDREW BUCKSBARG

629 Vanderbilt Street

Brooklyn, NY 11218

City: U.S.A. :: n_drew@organicode.net p Code: _____

Phone Number: 812.219.5310 E-mail Address: _____

Owner's Name: SAME AS ABOVE

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ E-mail Address: _____

Occupants: KRISTIN GLAZELSKI, CHRISTIAN Mc Kay

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: EXT. OF TIME (PETITION TYPE: TV) ☒

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)


11-TV-143

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

* PLEASE SEE ATTACHED SHEET

Signature (Required): 

Name (Print): ANDREW BUCKSBAM Date: OCT 17, 2011

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

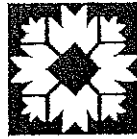
Print Form

I am requesting an extension for the repairs listed in the inspection of 1442 dated October 10th, due to the number of repairs, their complexity and with the addition of the repairs to the back deck. I am asking for 30 days to complete said repairs. Thank you for your consideration in this matter.

Andrew J. Bucksbarg

A handwritten signature in dark ink, appearing to be 'Andrew J. Bucksbarg', written in a cursive style.

OCT. 17th, 2011



**City of Bloomington
Housing and Neighborhood Development**

OCT 18 2011

Complaint Report
Amended 17 October 2011

2187

OWNERS

=====

Bucksbarg, Andrew
1440 S. Winfield Dr.
Bloomington, IN 47401

OWNERS

=====

BUCKSBARG, ANDREW
629 VANDERBILT
BROOKLYN NY 11218

Prop. Location: 1440-1442 S Winfield RD
Date Inspected: 10/04/2011
Inspectors: Mike Arnold
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Number of Units/Structures: 2 / 1
Number of Bedrooms: 2 each unit
Max # of Occupants: 3 each unit
Foundation Type: Basement
Attic Access:
Accessory Structure:

The following items are the result of a complaint inspection conducted on **10/04/2011**. It is your responsibility to repair these items and to schedule a reinspection within fourteen (14) days of the receipt of this report. Failure to comply with this inspection report will result in this matter being turned over to the City Legal Department. If you have questions regarding this report, please contact this office at 349-3420.

Interior:

Common Space:

Back Entryway:

Properly complete the installation of finished flooring. PM-304.1

Replace the missing vent cover. PM-603.1

Living Room:

Repair the screen door to properly latch. PM-303.15

Properly complete the installation of the flooring to eliminate gaps. PM-304.1 (At the entryway flooring and at the entry to the kitchen and any other gaps in the flooring).

Kitchen:

Repair window to latch securely. PM-303.13.2 (Replace the broken latch or provide a latch that is attached to the window such as a thumb latch).

Properly seal the gap around the outlet above the sink. PM-304.1 and PM-605.1

Properly repair the grout in the tile floor where grout is loose or missing. PM-304.1

Properly repair the deadbolt lock at the rear entry to function as intended. PM-304-6

Bathroom:

Properly complete the trim work. PM-304.1 (Ceiling and behind the door).

Properly prepare and surface coat the walls. PM-304.1

Properly complete the installation of the flooring to eliminate gaps. PM-304.1

Install the vent cover. PM-603.1

Exterior: Amended 17 October 2011)

Every exterior stairway shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads. PM-303.10 (It is strongly recommended that the stairs treads be supported at both ends and in the center by stringers running under the treads instead of nailing the treads into the sides of the stringers). **(This item should have been on the initial complaint inspection report).**

Required Documentation:

Complete the enclosed registration form. A street address is required for both owner and agent. This form must be signed by the owner. BMC16.12.060

All residential rental properties in Bloomington shall be registered with Housing and Neighborhood Development. Name and street address of an agent, if any, authorized to receive notification of complaint, damages, emergencies, substandard conditions or other communications, including service of process. The address of any agent so designated shall be within the state. **Any owner who does not reside in Indiana shall be required to designate such an agent.** BMC 16.12.060(a)(5)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: December 14, 2011

Petition Type: An extension of time to complete apartment housekeeping.

Petition Number: 11-TV-144

Address: 120 S. Kingston Dr. Unit F73

Petitioner: Jan Neff/Thomas Maddox

Inspector: Mosier/ Arnold

Staff Report: September 27, 2011 – Conducted Cycle Inspection
September 30, 2011 - Sent Cycle Report and Tenant Violations
October 24, 2011 – Sent Tenant Violation Remaining Violations Report
October 25, 2011 – Tenant Scheduled Tenant Violation Re-inspection and
appealed to the BHQA for an Extension of time to complete housekeeping of unit.

It was noted during the cycle inspection that this unit has excessive clutter.

Staff recommendation: Deny the request

Conditions: All repairs must be completed and re-inspected no later than the
deadline stated below, or this case will be turned over to the City
of Bloomington Legal Department for further action including the
possibility of fines.

Compliance Deadline: December 14, 2011

Attachments: Tenant Violation Report, BHQA Appeal, Petitioner's Letter



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
OCT 25 2011

BY: _____

Petitioner's Name: MR. DAN E. NEFF / MR. THOMAS MATTOX

Petitioner's Address & Phone Number: 120 S. KINGSTON ST. # 73FB BLOOMINGTON, IN
219-5871 47408

Owner's Name: CONNIE KNOX

Owner's Address & Phone Number: 120 S. KINGSTON ST # B13

Address of Property: 120 S. KINGSTON ST # 73F

Occupant(s) Name(s): THOMAS MATTOX, DAN NEFF

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Dan E. Neff

Name (print): MR. DAN E. NEFF

(Will be assigned by BHQA)

11-TV-144

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

MR. THOMAS MATTOX is in critical care - Bloom-Hosp.

He was going to help me re-arrange - etc.

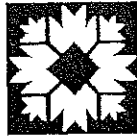
I. Have been selling off personal property
in order to free up space, this will be
on going the next few weeks. So far is
working! Thanks. Jan Noff - Thomas Mattox

Signature:

Jan E. Noff

Date:

10-25-1011



City of Bloomington
Housing and Neighborhood Development

TENANT
REMAINING
VIOLATIONS REPORT

OCT 24 2011

480

OWNERS

Distinct Real Estate Management
333 N Jefferson # 606
Chicago, IL 60661

TENANT:

TOM MADDOX
120 s. Kingston Dr. Apt. # F73
Bloomington, In. 47408

AGENT

Knoy, Connie
120 S. Kingston Apt. B13
Bloomington, IN 47408

Prop. Location: 120 S Kingston DR
Date Inspected: 09/27/2011
Inspectors: Norman Mosier
Primary Heat Source: Electric
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 75 / 6
Number of Bedrooms: 1,2,3
Max # of Occupants: 2/3/5
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

REINSPECTION REQUIRED

During an inspection for renewal of the Rental Occupancy Permit on this property, violations were noted that are the responsibility of the tenant(s) to correct. This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington. If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

BLDG F

Apt. 73

HOUSEKEEPING:

During an inspection for renewal of the Rental Occupancy Permit on this property, violations were noted that are the responsibility of the tenant(s) to correct. The violations must be corrected and re-inspected for compliance with the Property Maintenance Code within **14 days** of the date on which this notice was mailed. **It is the responsibility of the tenant to contact this office to schedule the required re-inspection at 349-3420. Any questions can be addressed to the inspector at 349-3420.**

Every occupant of a structure or part thereof shall keep that structure or part thereof which the tenant occupies, controls or uses in a clean and sanitary condition. **Clean and sanitize the entire apartment. PM-304.1.**



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: December 14, 2011

Petition Type: An extension of time to complete repairs.

Petition Number: 11-TV-145

Address: 350 S. Madison St.

Petitioner: Roy & Joan Butler

Inspector: Norman Mosier

Staff Report: October 21, 2010 - Conducted Cycle Inspection
January 5, 2011 - Sent Remaining Violations Report
February 3, 2011 - Conducted Re-inspection
February 8, 2011 - Received BHQA Appeal
February 11, 2011 - Conducted 2nd Re-inspection, removed from BHQA
February 15, 2011 - Sent Temporary Permit
August 22, 2011 - Sent EE Reminder
October 11, 2011 - DB, Exterior Painting Not Completed
October 14, 2011 - Start Legal
October 25, 2011 - Received 2nd BHQA Appeal

It was noted during the cycle inspection that the exterior of the structure needed to be painted, such as exterior windows, fascia boards, and the north side of structure.

Staff recommendation: Grant the Request

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: January 30, 2012

Attachments: Cycle Report, Remaining Violations Report, 1st BHQA Appeal, Temporary Permit, EE Reminder, Legal Letter, 2nd BHQA Appeal, Petitioner's letter



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
OCT 25 2011

BY: _____

Petitioner's Name:

ROY & JOAN BUTLER

Petitioner's Address & Phone Number:

1501 S. 300E, RUSHVILLE, IN 46173

Owner's Name:

ROY & JOAN BUTLER

812-932-

5444

Owner's Address & Phone Number:

1501 S. 300E, RUSHVILLE, IN 47173

812-339-

0264

Address of Property:

350 S. MADISON ST

Occupant(s) Name(s):

GABRIEL HINDS & JAMES MOYER

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature:

Don Wise

(Will be assigned by BHQA)

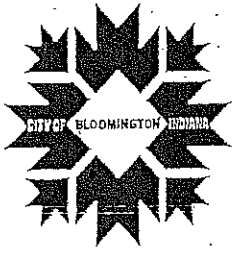
11-TV-145

Name (print):

Don Wise, Prop Mgr

Petition Number:

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

REQUEST 45 DAYS TO COMPLETE PAINTING
AN ERROR WAS MADE AND THE EXTERIOR
PAINTING WAS NOT COMPLETED (I FORGOT)
JOB MAY BE COMPLETED SOONER
— WEATHER PERMITTING.

THANK YOU FOR YOUR CONSIDERATION

Signature:

A handwritten signature in dark ink, appearing to read "Don Wrie".

PRORPER

Date:

10/25/11

PRUDENTIAL INDIANA REALTY GROUP

3802 E 3RD ST

BLOOMINGTON, IN 47401

OFFICE 339-0214 — CELL 322-7118

Corporation Counsel
Margie Rice

City Attorney
Vickie Renfrow



City of Bloomington
Legal Department

Assistant City Attorneys
Susan Failey
Barbara E. McKinney
Jacquelyn F. Moore
Patricia M. Mulvihill
Michael M. Rouker
Inge Van der Cruysse

October 20, 2011

Roy & Joan Butler
1501 South 300 East
Rushville, Indiana 46173

Re: Property located at 350 South Madison Street, Bloomington

Dear Mr. & Mrs. Butler:

Our office has received a referral from the Housing and Neighborhood Development Department concerning your maintenance of the above-referenced property without a rental occupancy permit from the City of Bloomington.

Please contact the Housing and Neighborhood Development Office within fourteen (14) days of the date of this letter to schedule an inspection of said property. You may contact Housing and Neighborhood Development at (812) 349-3420.

Fines will be assessed for this violation of the Bloomington Municipal Code. The City reserves the right to initiate legal proceedings against you for maintaining this property without a current registration and permit.

Please give prompt attention to this matter. Thank you in advance for your assistance.

Sincerely,

Patricia M. Mulvihill
Assistant City Attorney

cc: Housing and Neighborhood Development Office
Don Wise, 3802 East Third Street, Bloomington, Indiana 47401



**City of Bloomington
Housing and Neighborhood Development**

Exterior Extension Reminder

SEP 22 2011

1358

OWNERS

BUTLER, ROY & JOAN
1501 S. 300 E.
RUSHVILLE, IN 46173

AGENT

WISE, DON
3802 E. 3RD STREET
BLOOMINGTON IN 47401

Prop. Location: 350 S MADISON ST
Date Inspected: 10/12/2010
Inspectors: Norman Mosier
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

This report is a reminder that there are exterior items with an extended period of time for completion still outstanding at this address.

If you have made all of the repairs on this report, contact our office immediately to schedule the required drive-by re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

EXTERIOR:

Scrape and paint interior surfaces where paint is peeling or wood is exposed. PM-304.3
(this violation has a one-year deadline from the date of the cycle inspection)



401 N. Morton St.
Suite 130
Bloomington, IN 47404
(812) 349-3420

TEMPORARY RENTAL OCCUPANCY PERMIT

Address 350 S. MADISON

This Temporary Permit indicates that the interior violations listed on the Cycle Inspection Report dated 10-12-10, are now in compliance, and the only remaining violations are not life-safety in nature.

The remaining violations are noted in the REMAINING VIOLATIONS REPORT dated 01-06-11; this document is incorporated by reference into the Temporary Permit.

All remaining violations shall be in compliance and the owner or agent shall call HAND to schedule a re-inspection of the property prior to the expiration of this Temporary Permit.

This Temporary Permit expires, 10-12-11.

Director: [Signature] Date 2/15/11

Revised 02

RECEIPT
No. 24111

Received Date: 2/8/2011

Received From: Prudential Indiana Realty Group

For Property Located at: 350 S MADISON ST

Amount Received: \$ 20.00

Inspection Fee: \$ 0.00

Reinspection Fee: \$ 0.00

No Show Fee: \$ 0.00

B.H.Q.A. Fine: \$ 0.00

Balance Due: \$ 0.00

Paid by: Check #16064

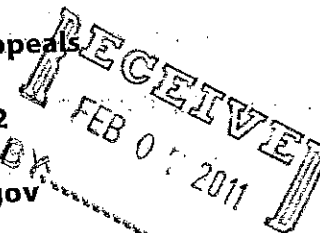
Units/Buildings: 1 / 1

Approved by the State Board of Accounts, 2004.

Thank you for your payment



**Application For Appeal
To The
Board of Housing Quality Appeals**
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov



Property Address: 350 S. Madison Street

Petitioner's Name: Don Wise, Prudential Indiana Realty Group for Roy & Joan Butler

Address: 3802 E. Third Street

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: (812) 334-2021

E-mail Address: dwise@prudentialindiana.com

Owner's Name: Roy & Joan Butler

Address: 1501 S. 300 E

City: Rushville

State: Indiana

Zip Code: 46173

Phone Number: 765-932-5444

E-mail Address: NONE

Occupants: Gabriel Hinds & James Moyer

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-35

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

Extension of time to complete exterior repairs is requested: Repair roof over back door, clean gutters, re-attach loose downspout. These items were not completed because we thought they could be done when the scraping and painting is done later in the spring/summer. Also, rain and bad weather has been a factor.

Pending relief in the weather, we plan to have the required un-completed items taken care of no later than 2/15/11.

Thank you.

Signature (Required):

Don Wise

Name (Print): Don Wise

Date: 2/3/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



**City of Bloomington
Housing and Neighborhood Development**

JAN 0 6 2011

Remaining Violations Report

1358

OWNERS

BUTLER, ROY & JOAN
1501 S. 300 E.
RUSHVILLE, IN 46173

AGENT

WISE, DON
3802 E. 3RD STREET
BLOOMINGTON IN 47401

Prop. Location: 350 S MADISON ST
Date Inspected: 10/12/2010
Inspectors: Norman Mosier
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.



INTERIOR:

Kitchen:

Repair the entry door to latch properly. PM-303.15

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. PM-304.3

Laundry Room:

No violations noted.

NW Storage Room:

No violations noted.

Dining Room 14 x 14:

Every window shall be capable of being easily opened and held in position by its own hardware, south middle window. PM-303.13.2

Living room 14 x 14:

No violations noted.

Entry Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended, adjacent to NW bedroom. PM-704.1

Front Porch:

No violations noted.

NE Bedroom 14 x 12:

Repair the window to be weather tight. The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. PM-303.13, PM-303.13.2

Existing Egress Window Measurements: Dbl Hung: Const. Yr. - 1899

Height: 27.5 inches

Width: 41.5 inches

Sill Height: 15 inches

Openable Area: 7.93 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Attic:

Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1

NW Bedroom 13 x 10:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, west wall. PM-304.3

Existing Egress Window Measurements: Dbl Hung: Const. Yr. - 1899

Height: 30 inches

Width: 26 inches

Sill Height: 15 inches

Openable Area: 5.42 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bathroom:

Secure toilet to its mountings. PM-504.1

Properly repair the sink faucet to eliminate the constant dripping. PM-504.1

Remove the old caulk and replace with new caulk to seal top of tub. PM-304.1

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, west wall. PM-304.3

Basement

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

Properly secure all support posts at the top and bottom to eliminate the possibility of movement. PM-304.2

EXTERIOR:

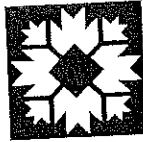
N/C Scrape and paint interior surfaces where paint is peeling or wood is exposed. PM-304.3
(this violation has a one-year deadline from the mailing date of the cycle inspection)

Repair the deteriorated back porch roof, adjacent to kitchen. PM-303.7

11-14 C Clean debris from the roof, gutters and downspouts. PM-303.7

Secure guttering to the structure and replace the missing end cap on the SE corner. PM-303.7

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
Housing and Neighborhood Development

RENTAL PERMIT INFORMATION

OCT 25 2010

Roy & Joan Butler
1501 S. 300 E.
Rushville, IN 46173

Property Location: 350 S. Madison Street

Please find enclosed the Cycle Inspection Report which detail recommendations and violations found during the recent inspection of your rental property. You have sixty (60) days from the date of this letter to correct the violations listed on the report.

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **DEC 25 2010** to schedule a reinspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

This report is issued in accordance with Section PM106.1 and PM106.2 of the Housing-Property Maintenance Code. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Xc: Don Wise

64



City of Bloomington
Housing and Neighborhood Development

Cycle Report

1358

OWNERS

BUTLER, ROY & JOAN
1501 S. 300 E.
RUSHVILLE, IN 46173

AGENT

WISE, DON
3802 E. 3RD STREET
BLOOMINGTON IN 47401

Prop. Location: 350 S MADISON ST
Date Inspected: 10/21/2010
Inspectors: Norman Mosier
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

INTERIOR:

Kitchen:

Repair the entry door to latch properly. PM-303.15

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster.
PM-304.3

Laundry Room:

No violations noted.

NW Storage Room:

No violations noted.

Dining Room 14 x 14:

Every window shall be capable of being easily opened and held in position by its own hardware, south middle window. PM-303.13.2

Living room 14 x 14:

No violations noted.

Entry Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended, adjacent to NW bedroom. PM-704.1

Front Porch:

No violations noted.

NE Bedroom 14 x 12:

Repair the window to be weather tight. The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. PM-303.13, PM-303.13.2

Existing Egress Window Measurements: Dbl Hung: Const. Yr. - 1899

Height: 27.5 inches

Width: 41.5 inches

Sill Height: 15 inches

Openable Area: 7.93 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Attic:

Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1

NW Bedroom 13 x 10:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, west wall. PM-304.3

Existing Egress Window Measurements: Dbl Hung: Const. Yr. - 1899

Height: 30 inches

Width: 26 inches

Sill Height: 15 inches

Openable Area: 5.42 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bathroom:

Secure toilet to its mountings. PM-504.1

Properly repair the sink faucet to eliminate the constant dripping. PM-504.1

Remove the old caulk and replace with new caulk to seal top of tub. PM-304.1

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, west wall. PM-304.3

Basement

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

Properly secure all support posts at the top and bottom to eliminate the possibility of movement. PM-304.2

EXTERIOR:

Scrape and paint interior surfaces where paint is peeling or wood is exposed. PM-304.3
(this violation has a one-year deadline from the mailing date of the cycle inspection)

Repair the deteriorated back porch roof, adjacent to kitchen. PM-303.7

Clean debris from the roof, gutters and downspouts. PM-303.7

Secure guttering to the structure and replace the missing end cap on the SE corner. PM-303.7

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: December 14, 2011

Petition Type: An extension of time to secure a state egress variance.

Petition Number: 11-TV-146

Address: 1212 S. College Mall Rd.

Petitioner: Sandra Ortiz

Inspector: Norman Mosier

Staff Report: September 6, 2011 – Conducted Cycle Inspection
October 25, 2011 – Conducted Re-inspection
October 26, 2011 – Received BHQA Appeal

Existing Egress Window Measurements: Casement: Const. Yr. – 1987

Openable Area: 5.40 sq. ft. Required Openable Area: 5.70 Sq. Ft.

Height: 37 inches

Required height: 24 inches

Width: 21 inches

Required Width: 20 inches

Sill Height: 43.5 inches

Required Max. Sill Height: 44 inches above finished floor

It was noted during the cycle inspection the egress windows do not meet egress requirements. And the petitioner needs to secure a state egress variance from the Fire Prevention and Building Safety Commission, Department of Homeland Security.

Staff recommendation: Grant the request

Conditions: A copy of the state variance must be received by the Housing and Neighborhood Development Office no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: February 14, 2012

Attachments: Cycle Report, BHQA Appeal, Petitioner's Letter

[Handwritten signature]



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
OCT 2 2011

BY: _____

Petitioner's Name: SANDRA ORTIZ

Petitioner's Address & Phone Number: 3001 Olcott Blvd Bloomington

Owner's Name: SANDRA ORTIZ (812) 272-4872

Owner's Address & Phone Number: 3001 Olcott Blvd, Bloomington

Address of Property: 1212 College Mall Road

Occupant(s) Name(s): Caroline Angelard

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: _____

Name (print): SANDRA ORTIZ

(Will be assigned by BHQA)

11-TV-146

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

I just talked to the inspector
and sent papers this week.
He told me it could take a
couple of months.
I am asking for six months.

Signature: _____

Date: _____

10/28/11



City of Bloomington
Housing and Neighborhood Development

Cycle Report

211

OWNERS

ORTIZ, SANDRA M.
3001 OLCOTT BLVD
BLOOMINGTON, IN 47401

Prop. Location: 1212 S COLLEGE MALL RD
Date Inspected: 09/06/2011
Inspectors: Norman Mosier
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 2
Foundation Type: Slab
Attic Access: Yes
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1987.
Minimum egress requirements for a multi family dwelling at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear height: 24 inches
Clear width: 20 inches
Sill height: 44 inches above the finished floor

EGRESS WINDOW MEASUREMENTS FOR UNIT ARE AS FOLLOWS:

Existing Egress Window Measurements: Casement: Const. Yr. - 1987
Height: 37 inches
Width: 21 inches
Sill Height: 43.5 inches
Openable Area: 5.40 sq. ft.

The emergency egress windows do not meet the minimum requirements for a multi-unit structure built in 1987:

| | |
|---|---|
| <u>Openable area required: 5.7 sq. ft.</u> | <u>Existing area: 5.40 sq. ft.</u> |
| Clear width required: 20 inches | Existing width: 21 inches |
| Clear height required: 24 inches | Existing height: 37 inches |
| Maximum sill height: 44 inches above finished floor | Existing sill: 43.5 inches above finished floor |

The emergency egress windows do not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

INTERIOR:

Living Room 15-6 x 10-10, Deck, Hallway, Utility Closet:

No violations noted.

Furnace Closet:

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level: 0 parts per million (ppm)
Acceptable level in a living space: 9 ppm
Maximum concentration for flue products: 50 ppm
PM-603.1

Kitchen:

Repair garbage disposal to function as intended. PM-504.1 & PM-605.1

Tighten the loose sink faucet. PM-504.1

Hall Bath:

No violations noted.

S Bedroom 10-9 x 9: See egress window measurements at heading of report.

No violations noted.

N Bedroom 10-10 x 10-7: See egress window measurements at heading of report.

No violations noted.

Bathroom:

No violations noted.

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

Required documentation:

C A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

C The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: December 14, 2011

Petition Type: An extension of time to complete repairs.

Petition Number: 11-TV-147

Address: 3101 S. Piccadilly St.

Petitioner: Alexander Ferenczy

Inspector: John Hewett

Staff Report: July 21, 2011 Cycle Inspection with tenant
August 1, 2011 Report was sent
October 19, 2011 RV report sent
October 31, 2011 Received appeal.

The owner has requested an extension of time to complete repairs.

Staff recommendation: grant the extension.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: January 19, 2012 for all violations.

Attachments: RV report, Petitioner's letter.



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
OCT 21 2011

Petitioner's Name: ALEXANDER FERENCZY

BY:

Petitioner's Address & Phone Number: 1105 S. CRICKET KNOLL, BROWN, IN 47401-8105
812-219 6638

Owner's Name: SAME

Owner's Address & Phone Number: SAME

Address of Property: 3101 S. PICCADILLY ST, BROWN, IN 47401-8691

Occupant(s) Name(s): CARAMELE BRYANT

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☒ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: [Signature]

Name (print): ALEXANDER FERENCZY

(Will be assigned by BHQA)

11-TV-147

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

VARIANCE APPLIED FOR RE: 1973 INDIANA BUILDING CODE
SECTION # 1204

3 UPSTAIR WINDOWS, [1 IN EACH OF 3 BEDROOMS]
REQUEST THEY BE GRANTED VARIANCE AS
EMERGENCY EGRESS WINDOWS SO THEY
DON'T NEED REPLACEMENT.

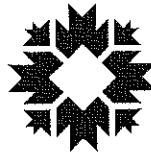
ALL PAPERWORK FILED @ HOMELAND SECURITY
INDIANAPOLIS, IN ATTN: MARA SNYDER

Signature: _____

[Handwritten Signature]

Date: _____

10.31.2011



**City of Bloomington
Housing and Neighborhood Development**

Remaining Violation Report

7240

OWNERS

=====

Ferency, Alexander
1105 S. Cricket Knoll
Bloomington, IN 47401

AGENT

=====

Bryan, Carame'E
3101 S. Piccadilly Street
Bloomington, IN 47401

Prop. Location: 3101 S Piccadilly ST
Date Inspected: 07/21/2011
Inspectors: John Hewett
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 5
Foundation Type: Slab
Attic Access: Yes
Accessory Structure:

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

Rental Inspections: (812) 349-3420
Housing Division: (812) 349-3401
Fax: (812) 349-3582

Monroe County Assessor's records indicate this structure was built in 1974.

Minimum emergency egress requirements for the time of construction:

Openable area required: 5 sq. ft.

Clear width required: 22"

Clear height required: 22"

Maximum Allowable Sill Height: 48" above finished floor

Interior

Living room

14-2 x 23-4

No violations noted.

Kitchen

8-7 x 10-9

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

½ bath

No violations noted.

Garage

No violations noted.

2nd Floor

Bathroom

No violations noted.

NW bedroom 9-11 x 9-11, NE bedroom 10-11 x 9-5, SE bedroom 12-9 x 9-8

The emergency egress windows do not meet the minimum requirements for a multi-unit structure built in 1974: The relevant code is the 1973 Indiana Building Code, Section 1204

| | | | |
|----------------------------------|--------------------------|-----------------------------|---------|
| Openable area required: | 5 sq. ft. | Existing area: | sq. ft. |
| Clear width required: 22" | | Existing width: 18 " | |
| Clear height required: | 22" | Existing height: | 48.5" |
| Maximum sill height: | 48" above finished floor | Existing sill: | 26" |

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to

Downloadable Forms and Documents and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

Attic access painted shut.

Exterior

No violations noted.

Other requirements

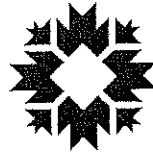
Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



**City of Bloomington
Housing and Neighborhood Development**

Amended Cycle Report

7240

OWNERS

FERENCY, ALEXANDER
1105 S. CRICKET KNOLL
BLOOMINGTON, IN 47401

AGENT

BRYAN, CARAM'E
3101 S. PICCADILLY STREET
BLOOMINGTON IN 47401

| | |
|--------------------------------------|-----------------------------------|
| Prop. Location: 3101 S PICCADILLY ST | Number of Units/Structures: 1 / 1 |
| Date Inspected: 07/21/2011 | Number of Bedrooms: 3 |
| Inspectors: John Hewett | Max # of Occupants: 5 |
| Primary Heat Source: Gas | Foundation Type: Slab |
| Property Zoning: RM | Attic Access: Yes |
| Number of Stories: 2 | Accessory Structure: |

Monroe County Assessor's records indicate this structure was built in 1974. There were no minimum size requirements for emergency egress windows at the time of construction.

Interior

Living room

14-2 x 23-4

No violations noted.

Kitchen

8-7 x 10-9

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

Rental Inspections: (812) 349-3420

Housing Division: (812) 349-3401

Fax: (812) 349-3582

recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

½ bath

No violations noted.

Garage

No violations noted.

2nd Floor

Bathroom

No violations noted.

NW bedroom 9-11 x 9-11, NE bedroom 10-11 x 9-5, SE bedroom 12-9 x 9-8

Existing Egress Window Measurements:

Height: 48.5 inches

Width: 18 inches

Sill Height: 26 inches

Openable Area: sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Attic access painted shut.

Exterior

No violations noted.

Other requirements

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: December 14, 2011

Petition Type: An extension of time to complete repairs.

Petition Number: 11-TV-148

Address: 1010 E. Maxwell Lane

Petitioner: Kenneth Harding for Guy Leonard

Inspector: Jo Stong

Staff Report: August 25, 2011: Conducted cycle inspection
August 31, 2011: Mailed cycle report
October 31, 2011: Spoke with Ken Harding. Tenant has moved out but repairs are not completed. Property will not be occupied again until it has been reinspected. Received appeal on this date.

During a cycle inspection violations of the Property Maintenance Code were noted. The petitioner states that there was extensive damage caused by the tenant, and is seeking an extension of time to complete repairs. The property is currently vacant.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: February 14, 2012 or prior to property being occupied

Attachments: Cycle report, appeal

fo



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
OCT 31 2011

BY: _____

Petitioner's Name: Guy Leonard (Kenneth Harding) Agent

Petitioner's Address & Phone Number: PO Box 804, Bloomington, IN 47402 (812) 332-9351

Owner's Name: Guy Leonard

Owner's Address & Phone Number: PO Box 804, Bloomington, IN 47402

Address of Property: 1010 Maxwell, Bloomington, IN

Occupant(s) Name(s): None

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: [Signature] Agent for Guy Leonard

(Will be assigned by BHQA)

11-TV-148

Name (print): Kenneth Harding

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Need Additional time to complete repairs due to
extensive Damage caused by tenants. MAXIMUM of 3 mo.

Signature: _____

Date: Oct. 31, 2011



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

1391

OWNERS

LEONARD, GUY W.
11375 REIGER ROAD #903
BATON ROUGE, LA 70809-4666

AGENT

HARDING, KENNETH
1709 W. 8TH STREET #7
BLOOMINGTON IN 47404

Prop. Location: 1010 E MAXWELL LN
Date Inspected: 08/25/2011
Inspectors: Jo Stong
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 3
Foundation Type: Slab
Attic Access: No
Accessory Structure: Garage

Monroe County Assessor's records indicate this structure was built in 1950.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

Entry:

Properly repair the storm door. PM-303.13

Living Room (22-7 x 13-4):

Properly cap old woodstove chimney access in ceiling. PM-304.3

85

Kitchen (6-0 x 3-10):

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

Properly repair the threshold at the entry. PM-304.4

Mechanical Room:

Properly ground the electrical receptacle on the south wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Repair the entry door to be weather tight. No gaps shall be visible around the edges. PM-303.13

Properly seal the hole in the wall for the dryer vent. PM-304.3, PM-303.5

Hallway:

No violations noted.

Northeast Bedroom (13-0 x 11-4):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 23 inches

Width: 34 inches

Sill Height: 31 ½ inches

Openable Area: 5.43 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bathroom:

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Southwest Bedroom (11-9 x 10-1):

Replace the doorknob. PM-304.6

Repair the light switch to function as intended. PM-605.1

Properly repair or replace loose, damaged, or missing floor covering. PM-304.4

Repair the window to function as intended. PM-303.13

Window will be measured at the reinspection.

Southeast Bedroom (11-6 x 11-0):

Repair the east window to open. Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Provide a screen for the south window. From May 15th to October 15th of each year, every door opening directly from any rental unit to the outdoors, and every window or other outside opening used for ventilation purposes shall be supplied with approved screening. PM-303.14

Existing Egress Window Measurements (double-hung, metal frame):

Height: 23 inches

Width: 31 ½ inches

Sill Height: 30 ½ inches

Openable Area: 5.03 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

EXTERIOR:

Clean debris from the roof, gutters and downspouts. PM-303.7

Ensure that the metal stove chimney is in good repair and weather tight. PM-303.11

Remove the brush piles. PM-102.3 & PM-302.1

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(this violation has a one-year deadline from the date of the cycle inspection)

Garage:

Repair the broken window. PM-303.13

Properly repair the east entry door. PM-303.13

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.050 (d).

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to

the office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: December 14, 2011

Petition Type: An extension of time to complete repairs.

Petition Number: 11-TV-149

Address: 3496 S Oaklawn Circle

Petitioner: Lorraine M. Fowler

Inspector: John Hewett

Staff Report: August 16, 2011 Cycle Inspection
September 2, 2011 re-measured windows
September 9, 2011 sent report
November 3, 2011 received a copy of State Appeal
November 9, 2011 Received appeal to BHQA

Bedroom Egress window information:

| | |
|---|---|
| Openable area required: 5.0 sq. ft. ground floor, 5.7 all other | Existing area: 5.19 (2 nd floor) |
| Clear width required: 20" | Existing width: 31.5 |
| Clear height required: 22" | Existing height: 23.75 |
| Maximum Allowable Sill Height: 44" above finished floor | Existing sill: 23" and 27 " |

Staff recommendation: Grant the extension

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: February 14, 2012

Attachments: Cycle inspection report, petitioner's letter

P



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
NOV 09 2011

Petitioner's Name: Lorraine M. Fowler (property manager) BY: _____

Petitioner's Address & Phone Number: 7150 S Lucas Road, Bloomington, IN 47401

Owner's Name: Arthur & Mary starts (landlords) 824-1350

Owner's Address & Phone Number: 8070 SW 191st, Aloha, Oregon 97007

Address of Property: 3496 S Oaklawn Circle, Bloomington, Indiana

Occupant(s) Name(s): Martin Beeve and two children (teenagers) 47401

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Lorraine Fowler

Name (print): Lorraine Fowler

(Will be assigned by BHQA)

11-TV-149
Petition Number: _____

(Please use the reverse side for further explanation and/or request)

October 27th, 2011

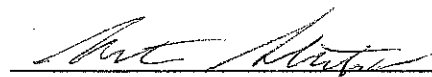
To Whom It May Concern,

We've given John Haines approval to fill in code site for variance approval for **2 PROPERTIES, 3496 and 3498 South Oaklawn Circle, Bloomington, Indiana 47401**. The Bloomington HAND Department has sent us a violation on one of our properties, 3496 South Oaklawn Circle, but we trust this variance application and payment will suffice for **both properties** as they're identical, it's a duplex, their HAND permit expiration dates simply are different and we're trying to avoid this expense that will surely come up when the other property comes due for approval. Thank you for your understanding and cooperation.

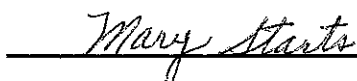
Regards,



Lorraine Fowler, Property Manager



Art Starts, Owner



Mary Starts, Owner



**City of Bloomington
Housing and Neighborhood Development**

RENTAL PERMIT INFORMATION

SEP 09 2011

Arthur & Mary Starts
8070 S.W. 191st Street
Beaverton, OR 97007

Property Location: 3496 S. Oaklawn Circle

Please find enclosed the Cycle Inspection Report which detail recommendations and violations found during the recent inspection of your rental property. You have sixty (60) days from the date of this letter to correct the violations listed on the report.

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **NOV 09 2011** to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

This report is issued in accordance with Section PM106.1 and PM106.2 of the Housing-Property Maintenance Code. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

If your address has changed since your last inspection, please submit a new registration form to the HAND Department. You can find the registration form online at the website listed above. If you do not have internet access, you may contact HAND at 812-349-3420 and a form will be mailed.

If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Xc: Lorraine Fowler



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

7539

OWNERS

STARTS, ARTHUR E. & MARY M.
8070 S.W. 191ST STREET
BEAVERTON, OR 97007

AGENT

FOWLER, LORRAINE M.
7150 LUCAS LANE
BLOOMINGTON IN 47401

| | |
|------------------------------------|-----------------------------------|
| Prop. Location: 3496 S OAKLAWN CIR | Number of Units/Structures: 1 / 1 |
| Date Inspected: 08/16/2011 | Number of Bedrooms: 3 |
| Inspectors: John Hewett | Max # of Occupants: 3 |
| Primary Heat Source: Gas | Foundation Type: Slab |
| Property Zoning: PUD | Attic Access: Yes |
| Number of Stories: 2 | Accessory Structure: |

Monroe County Assessor's records indicate this structure was built in 2004.
Minimum requirements for emergency egress windows at the time of construction.

Openable area required: 5.7 sq. ft.-5.0 grade floor windows
Clear width required: 20"
Clear height required: 22"
Maximum Allowable Sill Height: 44" above finished floor

Interior

Living room

20-9 x 10-7

No violations noted.

Kitchen

5-10 x 12-1

No violations noted.

Dining room

9-9 x 8-3

No violations noted.

Garage

No violations noted.

½ Bathroom

No violations noted.

2nd Floor

S bedroom 10-3 x 11-3

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 2004:

| | | | |
|-------------------------|---------------------------|------------------|--------------|
| Openable area required: | 5.7 sq. ft. | Existing area: | 5.19 sq. ft. |
| Clear width required: | 20 " | Existing width: | 31.5 " |
| Clear height required: | 22 " | Existing height: | 23.75 " |
| Maximum sill height: | 44 " above finished floor | Existing sill: | 27 " |

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Center bedroom 11-3 x 9-10, N bedroom 15-0 x 10-11

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 2004:

| | | | |
|-------------------------|---------------------------|------------------|--------------|
| Openable area required: | 5.7 sq. ft. | Existing area: | 5.19 sq. ft. |
| Clear width required: | 20 " | Existing width: | 31.5 " |
| Clear height required: | 22 " | Existing height: | 23.75 " |
| Maximum sill height: | 44 " above finished floor | Existing sill: | 23 " |

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Bathroom

No violations noted.

Exterior

No violations noted.

Other requirements

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a **\$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: December 14, 2011

Petition Type: An extension of time to complete repairs.

Petition Number: 11-TV-150

Address: 1021 E. Azalea Dr.

Petitioner: Chris Hawes

Inspector: Norman Mosier

Staff Report: August 15, 2011 – Conducted Cycle Inspection
 October 25, 2011 – Scheduled Re-inspection for 11/10/2011
 November 10, 2011 – Cancelled Re-inspection
 November 10, 2011 – Received BHQA Appeal
 December 2, 2011 – Sent Amended Report

Staff recommendation: Grant the request

Conditions: All repairs must be completed and re-inspected no later than the
 deadline stated below, or this case will be turned over to the City
 of Bloomington Legal Department for further action including the
 possibility of fines.

Compliance Deadline: December 31, 2011 for repairs
 February 14, 2012 for windows

Attachments: Cycle Report, Amended Cycle Report, BHQA Appeal, Petitioner's Letter



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
NOV 10 2011

BY: _____

Petitioner's Name: Jennifer Vincent

(812) 679-8893
Petitioner's Address & Phone Number: 5480 W. Shady Brook Dr. Blgtn. In. 47403

Owner's Name: Chris Hawes

Owner's Address & Phone Number: 1533 Arbors Ln. Blgtn. In. 47401

Address of Property: 1021 Azalia Dr. Blgtn. In. 47401

Occupant(s) Name(s): Ross & Alexis Freeman

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Jennifer Vincent

Name (print): Jennifer Vincent

(Will be assigned by BHQA)

11-TV-150

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Had trouble locating parts to repair windows. No
local Service Crestline persons or parts available, locally.
located parts via internet and ordered from
East Coast.

Signature: _____

Jennifer J. Vincent

Date: _____

11/10/2011



**City of Bloomington
Housing and Neighborhood Development**

**AMENDED
CYCLE REPORT**

7484

OWNERS

=====

Mallory Hawes Llc
2201 Olcott Blvd
Bloomington, IN 47401

AGENT

=====

Vincent, Jennifer
5480 W. Shadybrook Drive
Bloomington, IN 47403

Prop. Location: 1021 E Azalea LN
Date Inspected: 08/15/2011
Inspectors: Norman Mosier
Primary Heat Source: Gas
Property Zoning: PUD
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1996.
Minimum egress requirements for single family dwellings at the time of construction.
Openable area: 4.75 Sq. Ft.
Clear width: 18 inches
Clear height: 24 inches
Sill height: 44 inches above the finished floor.

EGRESS WINDOW MEASUREMENTS FOR STRUCTURE ARE AS FOLLOWS:

Openable area: 5.00 Sq. Ft.
Clear width: 30 inches
Clear height: 24 inches
Sill height: 28 inches

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

Rental Inspections: (812) 349-3420
Housing Division: (812) 349-3401
Fax: (812) 349-3582

GENERAL VIOLATION:

Single and multiple-station, hard wired smoke alarms shall be installed in the following locations and in accordance with following criteria: PM-102.3, PM-102.8, & PM-704.2

1. In each sleeping room
2. Outside of each sleeping area in the immediate vicinity of the bedrooms.
3. On each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwelling units with split levels without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
4. The alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Radio frequency interconnection is allowable.
5. Install smoke detector(s) in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall.
6. The required smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery.
7. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.
8. Smoke detection shall be maintained in manner so that it functions as intended and is in compliance with the aforementioned installation requirements.

INTERIOR:

1st Floor

Entryway:

No Violations Noted.

Study:

No Violations Noted.

Kitchen:

Repair the right front burner to light as intended. PM-603.1

Living Room:

14-4 x 13-10

All fireplaces/wood stove shall be inspected and serviced as needed. This is to include the firebox, damper, chimney and or the flue. Cleaning by professional service is highly recommended. PM-603.1

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Deck:

Secure the handrail so it is capable of withstanding normally imposed loads, west end, left side. PM-303.12 (exterior).

2nd Floor

Stairway/Hallway:

No Violations Noted.

Laundry Room:

No Violations Noted.

Master Bedroom 12-6 x 16-2: **There is an exit door for egress requirements.**

Install a hardwired interconnected smoke detector. See general violation. PM-704.1

Master Bathroom:

No Violations Noted.

E Bedroom:13 x 11: **See egress window measurements at heading of report.**

Install a hardwired interconnected smoke detector. See general violation. PM-704.1

Bathroom:

No violations noted.

Shower Room:

No violations noted.

Center Bedroom 12 x 12: **See egress window measurements at heading of report.**

Install a hardwired interconnected smoke detector. See general violation

Basement

Stairway/Hallway:

No Violations Noted.

Family Room 15-5 x 20-8:

No violations noted.

Garage:

No Violations Noted.

Utility Closet:

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | | |
|--|---------------------------|----------|
| Desired level: | 0 parts per million (ppm) | |
| Acceptable level in a living space: | 9 ppm | |
| Maximum concentration for flue products: | 50 ppm | PM-603.1 |

EXTERIOR:

Remove the vines that are growing on the structure. PM-102.8, PM-302.4, & PM-303.1

Clean debris from the roof, gutters and downspouts. PM-303.7

Replace the deteriorated brick molding above the garage door and to the right side at bottom of wall. PM-303.6

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

7484

OWNERS

=====

MALLORY HAWES LLC
2201 OLCOTT BLVD
BLOOMINGTON, IN 47401

AGENT

=====

VINCENT, JENNIFER
5480 W. SHADYBROOK DRIVE
BLOOMINGTON IN 47403

Prop. Location: 1021 E AZALEA LN
Date Inspected: 08/15/2011
Inspectors: Norman Mosier
Primary Heat Source: Gas
Property Zoning: PUD
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 5
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1996.
Minimum egress requirements for single family dwellings at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear width: 20 inches
Clear height: 24 inches
Sill height: 44 inches above the finished floor.

GENERAL VIOLATION:

Single and multiple-station, hard wired smoke alarms shall be installed in the following locations and in accordance with following criteria: PM-102.3, PM-102.8, & PM-704.2

1. In each sleeping room
2. Outside of each sleeping area in the immediate vicinity of the bedrooms.
3. On each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwelling units with split levels without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

4. The alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Radio frequency interconnection is allowable.
5. Install smoke detector(s) in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall.
6. The required smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery.
7. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.
8. Smoke detection shall be maintained in manner so that it functions as intended and is in compliance with the aforementioned installation requirements.

INTERIOR:

1st Floor

Entryway:

No Violations Noted.

Study:

No Violations Noted.

Kitchen:

Repair the right front burner to light as intended. PM-603.1

Living Room:

14-4 x 13-10

All fireplaces/wood stove shall be inspected and serviced as needed. This is to include the firebox, damper, chimney and or the flue. Cleaning by professional service is highly recommended. PM-603.1

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Deck:

Secure the handrail so it is capable of withstanding normally imposed loads, west end, left side. PM-303.12 (exterior).

2nd Floor

Stairway/Hallway:

No Violations Noted.

Laundry Room:

No Violations Noted.

Master Bedroom 12-6 x 16-2: **There is an exit door for egress requirements.**

Install a hardwired smoke detector. PM-704.1

Master Bathroom:

No Violations Noted.

E Bedroom: 13 x 11:

Install a hardwired smoke detector. PM-704.1

Existing Egress Window Measurements: Single Hung: Const. Yr. - 1996

Height: 24 inches

Width: 30 inches

Sill Height: 28 inches

Openable Area: 5.00 sq. ft.

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1996:

Openable area required: 5.7 sq. ft.

Clear width required: 20 inches

Clear height required: 24 inches

Maximum sill height: 44 inches above finished floor

Existing area: 5.0 sq. ft.

Existing width: 30 inches

Existing height: 24 inches

Existing sill: 28 inches/floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Bathroom:

No violations noted.

Shower Room:

No violations noted.

Center Bedroom 12 x 12:

Install a hardwired smoke detector. PM-704.1

Existing Egress Window Measurements: Single Hung: Const. Yr. - 1996

Height: 24 inches

Width: 30 inches

Sill Height: 28 inches

Openable Area: 5.00 sq. ft.

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1996:

Openable area required: 5.7 sq. ft.

Clear width required: 20 inches

Clear height required: 24 inches

Maximum sill height: 44 inches above finished floor

Existing area: 5.0 sq. ft.

Existing width: 30 inches

Existing height: 24 inches

Existing sill: 28 inches/floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

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Basement

Stairway/Hallway:

No Violations Noted.

Family Room 15-5 x 20-8: There is an exit door for egress requirements.

No violations noted.

Garage:

No Violations Noted.

Utility Closet:

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:

0 parts per million (ppm)

Acceptable level in a living space:

9 ppm

Maximum concentration for flue products:

50 ppm

PM-603.1

EXTERIOR:

Remove the vines that are growing on the structure. PM-102.8, PM-302.4, & PM-303.1

Clean debris from the roof, gutters and downspouts. PM-303.7

Replace the deteriorated brick molding above the garage door and to the right side at bottom of wall. PM-303.6

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector before the Residential Rental Permit will be issued for this property. BMC16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: December 14, 2011

Petition Type: An extension of time to secure a state egress window variance.

Petition Number: 11-TV-151

Address: 3230 E. John Hinkle Place # A

Petitioner: Joanne Sabbagh / Tempo Properties

Inspector: Norman Mosier

Staff Report: October 25, 2011 – Conducted Cycle Inspection
November 17, 2011 – Received BHQA Appeal

It was noted during the cycle inspection that the egress windows do not meet egress requirements. Petitioner is requesting an extension of time to secure a state variance from the Dept. of Homeland Security.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. – 1993

Openable Area: 5.59 sq. ft. Required Openable Area: 5.70 Sq. Ft.

Height: 23 inches Required height: 24 inches

Width: 35 inches Required Width: 20 inches

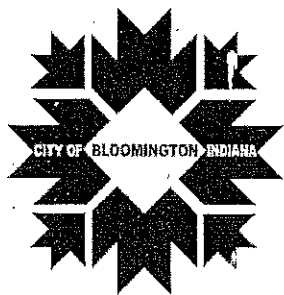
Sill Height: 26.5 inches Required Max. Sill Height: 44 inches above finished floor

Staff recommendation: Grant the request

Conditions: A copy of the State egress window variance must be received by the Housing and Neighborhood Development Office no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: February 14, 2012

Attachments: Cycle Report, BHQA Appeal. Petitioner's Letter



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

Property Address: 3230 E. John Hinkle Place Unit A

Petitioner's Name: Joanne Sabbagh, TEMPO Properties, Inc. (Property Manager)

Address: 2676 East 2nd Street, P.O. Box 5727

City: Bloomington

State: Indiana

Zip Code: 47407

Phone Number: (812) 336-2026

E-mail Address: jsabbagh@homefinder.org

Owner's Name: Charles Eastor

Address: 523 Winslow Farm Drive

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: 812-336-8289

E-mail Address:

Occupants: Tenants

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: A modification or exception to the Housing Property Maintenance Code. (Petition Type: *W*)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-151

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

A variance request has been sent to the Indiana Department of Homeland Security for the following reason: Code:BMC-16.04.020 (b) The height of the opening in the bedrooms is 1" short of code requirement in unit 3230-A. If the windows did not meet the building code requirements when the building was built, how did the builder pass his building inspections and get an occupancy permit in the first place. I am, therefore, requesting a variance as this requirement is not practical at this time and would create a hardship on the owner and violate the overall appearance of the building as all the windows are of the same size in all units at this location.

I am awaiting the decision of the Department of Homeland Security and need to file for an extension at this time.

Signature (Required):

Joanne Sabbagh

Name (Print):

Joanne Sabbagh

Date:

11/16/11

Important information regarding this application format:

1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

CYCLE REPORT

4914

OWNERS

Easton, Charles S.
523 Winslow Farm Dr.
Bloomington, IN 47401

AGENT

Tempo Management
P.O. Box 5727
Bloomington, IN 47407

Prop. Location: 3230 E John Hinkle PL UNIT A
Date Inspected: 10/25/2011
Inspectors: Norman Mosier
Primary Heat Source: Electric
Property Zoning: PUD
Number of Stories: 3

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 5
Foundation Type: Slab
Attic Access: No
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1993.
Minimum egress requirements for a multi-family dwelling built at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear height: 24 inches
Clear width: 20 inches
Sill height: 44 inches above the finished floor

INTERIOR:

Living Room 14-9 x 12-8, Deck, Kitchen, Dining Room 10-8 x 7-7, Furnace Closet, Hallway,
Laundry Closet, Hall Bath :
No violations noted.

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

Rental Inspections: (812) 349-3420
Housing Division: (812) 349-3401
Fax: (812) 349-3582

S Bedroom 10 x 8-5, Middle Bedroom 9-8 x 8-4, N Bedroom 12-8 x 9-6:

The emergency egress windows do not meet the minimum requirements for a multi-unit structure built in 1993:

Openable area required: 5.7 sq. ft.

Existing area: 5.59 sq. ft.

Clear width required: 20 inches

Existing width: 35 inches

Clear height required: 24 inches

Existing height: 23 inches

Maximum sill height: 44" above finished floor

Existing sill: 23 inches above finished floor

The emergency egress windows do not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

EXTERIOR:

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: December 14, 2011

Petition Type: An extension of time to secure a state egress window variance.

Petition Number: 11-TV-152

Address: 3230 E. John Hinkle Place # K

Petitioner: Joanne Sabbagh / Tempo Properties

Inspector: Norman Mosier

Staff Report: October 25, 2011 – Conducted Cycle Inspection
November 17, 2011 – Received BHQA Appeal

It was noted during the cycle inspection that the egress windows do not meet egress requirements. Petitioner is requesting an extension of time to secure a state egress window variance from the Dept. of Homeland Security.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. – 1993

Openable Area: 5.59 sq. ft. Required Openable Area: 5.70 Sq. Ft.

Height: 23 inches Required height: 24 inches

Width: 35 inches Required Width: 20 inches

Sill Height: 26.5 inches Required Max. Sill Height: 44 inches above finished floor

Staff recommendation: Grant the request

Conditions: A copy of the State egress window variance must be received by the Housing and Neighborhood Development Office no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: February 14, 2012

Attachments: Cycle Report, BHQA Appeal, Petitioner's Letter

JS



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

Property Address: 3230 E. John Hinkle Place Unit K

Petitioner's Name: Joanne Sabbagh, TEMPO Properties, Inc. (Property Manager)

Address: 2676 East 2nd Street, P.O. Box 5727

City: Bloomington

State: Indiana

Zip Code: 47407

Phone Number: (812) 336-2026

E-mail Address: jsabbagh@homefinder.org

Owner's Name: Herbert Kuebler

Address: 3321 Coppertree Drive

City: Bloomington

State: Illinois

Zip Code: 47401

Phone Number: 812-330-0158

E-mail Address:

Occupants: Tenants

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: A modification or exception to the Housing Property Maintenance Code. (Petition Type: ☒ TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-152

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

A variance request has been sent to the Indiana Department of Homeland Security for the following reason:

Code: BMC-16.04.020 (b) The height of the opening in the bedrooms is 1" short of code requirement in unit 3230-K. If the windows did not meet the building code requirements when the building was built, how did the builder pass his building inspections and get an occupancy permit in the first place. I am, therefore, requesting a variance as this requirement is not practical at this time and would create a hardship on the owner and violate the overall appearance of the building as all the windows are of the same size in all units at this location.

I am awaiting the decision of the Department of Homeland Security and need to file for an extension at this time.

Signature (Required):

Joanne Sabbagh

Name (Print):

Joanne Sabbagh

Date: 11/16/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

CYCLE REPORT

4234

OWNERS

Kuebler, Herbert O.
3221 Coppertree Dr
Bloomington, IN 47401

AGENT

Tempo Management
P.O. Box 5727
Bloomington, IN 47407

Prop. Location: 3230 E John Hinkle PL UNIT K
Date Inspected: 10/25/2011
Inspectors: Norman Mosier
Primary Heat Source: Electric
Property Zoning: PUD
Number of Stories: 3

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 5
Foundation Type: Slab
Attic Access: No
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1993.
Minimum egress requirements for a multi-family dwelling built at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear height: 24 inches
Clear width: 20 inches
Sill height: 44 inches above finished floor

NOTE:

 Room dimensions are in the file or listed on the previous cycle inspection report.

INTERIOR:

Living Room, Deck, Kitchen, Dining Room, Hall, Laundry Closet, Hall Bath, Furnace Closet:
No violations noted.

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

Rental Inspections: (812) 349-3420
Housing Division: (812) 349-3401
Fax: (812) 349-3582

S Bedroom:

Secure the left side door casing and repair the door to latch properly. PM-304.6

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1993

Height: 23 inches

Width: 35 inches

Sill Height: 26.5 inches

Openable Area: 5.59sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1993:

Openable area required: 5.7 sq. ft.

Existing area: 5.59 sq. ft.

Clear width required: 20 inches

Existing width: 35 inches

Clear height required: 24 inches

Existing height: 23 inches

Maximum sill height: 44" above finished floor Existing sill: 26.5" above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Middle Bedroom:

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1993

Height: 23 inches

Width: 35 inches

Sill Height: 26.5 inches

Openable Area: 5.59 sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1993:

Openable area required: 5.7 sq. ft.

Existing area: 5.59 sq. ft.

Clear width required: 20 inches

Existing width: 35 inches

Clear height required: 24 inches

Existing height: 23 inches

Maximum sill height: 44" above finished floor Existing sill: 26.5 " above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is

altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

N Bedroom:

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1993

Height: 23 inches

Width: 35 inches

Sill Height: 26.5 inches

Openable Area: 5.59sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1993:

Openable area required: 5.7 sq. ft.

Existing area: 6.87 sq. ft.

Clear width required: 20 inches

Existing width: 43 inches

Clear height required: 24 inches

Existing height: 23 inches

Maximum sill height: 44" above finished floor

Existing sill: 26.5" above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Bathroom:

Repair the sink drain to function as intended, slow. PM-504.1

Seal edge of floor covering adjacent to bathtub. PM-304.1

EXTERIOR:

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)